

64. A transfer resistant lotion according to claim 63, wherein said at least one copolymer film former comprises at least one radial copolymer film former and at least one tri-block copolymer film former.

65. A transfer resistant lipstick product comprising:

- Al
- (a) an effective amount of at least one copolymer film former selected from tri-block, multi-block, and radial copolymers, and
  - (b) at least one additional film former, wherein said at least one additional film former is not a block copolymer film former,
- with the proviso that said at least one film former (b) is not an alkyl cycloalkylacrylate.

66. A transfer resistant lipstick according to claim 65, wherein said at least one copolymer film former comprises at least one radial copolymer film former and at least one tri-block copolymer film former.--

#### REMARKS

Claims 1-48 have been cancelled without prejudice or disclaimer and claims 49 - 66 have been added. It is submitted that support for these new claims can be found in the original specification and claims. Moreover, Applicants submit that claims of this application are directed to subject matter cancelled in parent Application No. 09/258,809. Care has been taken so that no new matter has been added. Applicants now await an action on the merits.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

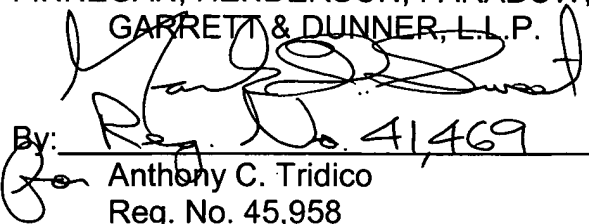
1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

If the Examiner believes a telephone conference would be helpful in advancing the prosecution of this application, the Examiner is respectfully urged to contact Applicants' undersigned representative at (202) 408-4173.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Anthony C. Tridico  
Reg. No. 45,958

Dated: January 23, 2002

253462\_1

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com